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February 27, 2009

By Electronic Filing

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Suite TW-A325
Washington, DC 20554

RE: EB Docket 06-36

Dear Ms. Dortch:

Pursuant to Section 64.2009(e) of the Commission's rules, 47 C.F.R. Section 64.2009(e), Embarq hereby submits the annual CPNI Certification for 2008 for its affiliates listed in "Attachment A" of the attached document.

Please feel free to contact me if you require additional information.

Respectfully submitted,

David C. Bartlett
Vice President
Federal Government Affairs

cc: Telecommunications Consumers Division, Enforcement Bureau
Best Copy and Printing, Inc.

Attachment

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**Annual 47 C.F.R. 64.2009(e) CPNI Certification
EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2008

Date Filed: February 27, 2009

Name of company covered by this certification: Embarq

Form 499 Filer ID: See Attachment A

Title of signatory: Chief Privacy Officer

I, Nancy Shelledy, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules.

Attached to this certification is an accompanying statement explaining how Embarq's procedures ensure that Embarq is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

Embarq has not taken any actions against data brokers in 2008.

Embarq has not received any customer complaints in the past year concerning the unauthorized release of CPNI.


Nancy Shelledy

Attachment A

Embarq Corporation Form 499 Filer ID: 822076

- Embarq Florida, Inc.
- Carolina Telephone and Telegraph Company LLC
- Central Telephone Company
- United Telephone Southeast LLC
- Central Telephone Company of Virginia
- United Telephone Company of the Carolinas LLC
- United Telephone Company of Ohio
- United Telephone Company of Indiana, Inc.
- United Telephone Company of New Jersey, Inc.
- The United Telephone Company of Pennsylvania LLC
- United Telephone Company of Southcentral Kansas
- United Telephone Company of Eastern Kansas
- United Telephone Company of Kansas
- Embarq Minnesota, Inc.
- Embarq Missouri, Inc.
- United Telephone Company of the West
- United Telephone Company of Texas, Inc.
- Central Telephone Company of Texas
- United Telephone Company of the Northwest

Embarq Communications, Inc. Form 499 Filer ID: 825591

- Embarq Communications of Virginia, Inc.



Statement of Compliance Procedures for CPNI 2008 CPNI Certification

Methods for Obtaining Customer Approval

Embarq uses the opt-out method to obtain customer approval to utilize CPNI for marketing purposes. Customers are able to opt-out at no cost and to effectuate that choice whenever they choose. Embarq informs customers of these opt-opt methods through a CPNI notice, which is sent to new customers upon initiation of service and to all customers every two years.

Residential customers are instructed to call Customer Care to make or change their CPNI elections; the number is routed to an IVR after hours. The Customer Care representative records the customer's election in Service Order Entry (SOE), which is then stored in CIDS (Customer Information Data Store). Business local customers are instructed to call Customer Care to make or change their CPNI election. The Customer Care representative records the customer's local service election in Service Order Entry (SOE), and it is then stored in the Customer Information Data Store (CIDS). Business long distance customers are instructed to call a number that is routed directly to an IVR. The Long Distance IVR captures the customer's CPNI election and sends it to CIDS for storage. The Long Distance IVR is available 24 hours a day, seven days a week, to capture opt-outs. In addition, all customers also have the option to send an e-mail to opt-out of CPNI at any time.

A customer's account is coded with either a "Y" or "N" in the CPNI consent flag, depending on the customer's response. If a residential customer does not respond to a CPNI notice within 65 days of service initiation, or if a business customer does not respond within 40 days of service initiation, the customer is considered to have approved the use, disclosure and access to CPNI and the account is coded with a "Y." This allows all customers at least 33 days after mailing of the CPNI notice to respond. If the customer denies approval ("N"), that decision remains in effect until the customer affirmatively grants permission to use CPNI. Within the first 65/40 days of service initiation a unique CPNI code is assigned and there is no out of category marketing to customers who have this code, with the exception of when the script for consent is read by a rep, which allows agents to market for the purpose of the one call only.

How CPNI Authorization Records Are Maintained/Used

The Database Marketing (DBM) Group generates customer lists for all marketing campaigns. Campaigns are implemented by the Marketing group, which creates a strategy brief containing the products offered and the criteria for selecting customers to be used, allowing DBM to generate a campaign list that meets those requirements and deliver it to the requestor in the Marketing group. Before conducting marketing campaigns that utilize CPNI, DBM pulls only those accounts with a CPNI indicator of "Y" if the campaign will utilize CPNI to market services out of category. Use of the CPNI by agents for marketing campaigns is also documented. Documentation of campaigns is maintained for a year.

Customer Notice of CPNI Rights/Date of Most Recent Notification

Embarq provides new customers with a CPNI notice at the time they establish service and sends renewal CPNI notices to existing customers every two years. The most recent biennial notice was sent in April 2007.

New business customers are notified of their CPNI rights via a notice contained in the Welcome Package that is sent following the customer's service order. Daily, all new orders are batched and fed through a process that identifies customers requiring a Welcome Package. The resulting file is used by a third-party vendor to print and mail the Welcome Package within a few days of order entry. Major Account customers (i.e., accounts that request a non-standard billing format) are sent a packet containing a CPNI notification at the time their service is established.

New residential customers are notified of their CPNI rights via a message contained in the first bill that is sent following the customer's service order.

A copy of the current CPNI notification verbiage is attached.

Company Procedures for CPNI Disclosure

Embarq Methods and Procedures (M&Ps) for Business and Residential representatives require a password for release of call detail records (CDR) when requested by telephone. If a customer does not have a password, reps will offer to call the customer back at the phone number of record to provide the information or alternatively will offer to mail the call records to the billing address on the account. Reps now encourage customers to establish a password to safeguard their account information. Passwords are generally based on response to one of a list of questions that include name of first grade teacher, name of first pet, etc. M&Ps for face-to-face transactions in retail environments that involve CPNI now require that the customer present a photo ID that matches the customer responsible for billing or authorized use for that account. Previously, verification in retail environments was done via standard identity verification methods including password, account number, other information from the account (alternate can be reach number, numbers called, etc) or last four digits of SSN.

Embarq notifies customers of password and address changes to accounts. For password changes, Embarq has a manual process that is triggered by the rep via a letter request which is systematically sent to the Residential and Business Offline Centers for fulfillment. The process for notifying customers of billing address changes is via a back-end process that monitors billing address changes made in the order entry system. The information is formatted into a file that contains the customer's name and old billing address. This file is loaded into an automated dialing system that attempts to notify the customer by telephone. Another file is created for customers who were not reached via telephone and is handed off to a letter fulfillment vendor who then sends the notification via US Mail.

To establish a password for an on-line account, a customer can choose from a variety of questions such as name of first grade teacher, name of first pet, etc. When on-line account passwords are changed, Embarq sends e-mail notification to the e-mail address on record provided by the customer.

For release of non-CDR CPNI, standard identity verification methods are used and include password, account number, other information from the account (alternate can be reach number, numbers called, etc) or last four digits of SSN.

For customers who have a CPNI indicator of "No", service rep M&Ps specify how to obtain one-time use permission for using CPNI.

Training of Company Personnel

Consistent with Embarq's commitment to preserving customer privacy, the company has implemented a variety of training programs for its employees regarding the company's policies and employees' obligations to protect customer information. All new Customer Care representatives receive CPNI training as part of their initial job training. The CPNI training program explains Embarq's legal obligations regarding the access, use, storage, and disclosure of CPNI and discusses the application of the FCC's rules to the company's operations. On an ongoing basis, Customer Care representatives have CPNI resources available in their online reference repository. Training for all Embarq employees to educate them on new CPNI rules was initiated in December 2007 and was completed the end of first quarter 2008 and on a go-forward basis, all new employees are required to take CPNI training.

Under Embarq's standard procedures, only those persons with duties that require access to CPNI to perform their job functions are eligible for such access, and access is controlled through User IDs and passcodes. Embarq has adopted a disciplinary process, which has been incorporated into the company's corporate compliance procedures and communicated to employees, to address any employee mishandling or misuse of CPNI. Corporate Security or Human Resources personnel investigate instances of potential improper access to or disclosure of CPNI by employees. If the investigation indicated a violation has occurred, disciplinary action up to and including termination will follow, with such termination being highly likely for any significant violation.

Effective with the FCC's 2007 CPNI order, third parties who have access to CPNI for marketing purposes have become Embarq agents. These agents abide by all CPNI regulations and have appropriate protections in place to ensure the ongoing confidentiality of the CPNI; limit access to persons who have a need to know such information in connection with the performance of the contract; and restrict the use of CPNI solely to the performance of the contract, in connection with the provisioning and marketing of communications related services and products.

Actions Taken Against Data Brokers for Unauthorized Access to Customer Records

Embarq had no instances of data brokers obtaining unauthorized access to customer records in 2008.

Summary of Customer Complaints Concerning Unauthorized Release of CPNI

Potential sources for capturing customer complaints regarding unauthorized use of CPNI include calls to the business office, calls to the executive hotline, and e-mails to the Office of Privacy. Embarq had no customer complaints regarding the unauthorized release of CPNI in 2008.

CPNI NOTICE TO NEW CUSTOMERS

Customer Proprietary Network Information (CPNI) Use of Account Information

As EMBARQ provides services to you, EMBARQ develops information about the quantity, technical configuration, type, destination, amount of services you use, and other information found on your bill ("Customer Information"). Under federal law, you have a right, and EMBARQ has a duty, to protect the confidentiality of your Customer Information. It's an obligation that EMBARQ takes seriously.

In order to serve you in the most effective and efficient manner, EMBARQ may use or share your Customer Information with its affiliates for purposes of determining and offering other EMBARQ™ products and services, including DISH video services, that may interest you. EMBARQ and its affiliates provide a growing suite of communications-related products and services including local, long distance and wireless services. EMBARQ may also disclose, share or permit access to your Customer Information on a limited, as-needed basis with trusted agents who assist EMBARQ in providing you with communications-related services. These agents share the responsibility for protecting your Customer Information. EMBARQ will not disclose or sell Customer Information to third parties, unless otherwise required to do so by operation of law.

If you so desire, you may "decline," effectively preventing EMBARQ from using or sharing your Customer Information with its affiliates for the purpose of offering other products and services not related to your current services by calling 1-877-901-1012. After hours, feel free to send an e-mail that includes your telephone phone number to privacy@embarq.com. For users who are deaf or hard of hearing, TTY service is available. To notify EMBARQ regarding your local and/or long distance services, you can contact a TTY operator by calling 800-877-8973. Request the TTY operator to dial the appropriate number listed above and notify EMBARQ that you do not want EMBARQ to use your Customer Information.

If you decide to decline it will not have any impact on your current EMBARQ™ services. Also, your decision on whether or not to decline is valid until you decide to change it. You may, at any time, decline or revoke your previous decision to decline by calling the appropriate number listed in the previous paragraph. EMBARQ will not use your Customer Information for 33 days after mailing this notice to you to give you time to make your choice.